

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
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Satoshi SUZUKI <i>et al.</i>	:	Confirmation No.: 5634
	:	
U.S. Application No: 10/586,162	:	Examiner: Bushey, Charles
	:	
Filed: October 30, 2006	:	Group Art Unit: 1797
	:	

For: CARBONATE SPRING PRODUCING SYSTEM

RESPONSE TO RESTRICTION REQUIREMENT

April 9, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed January 29, 2010, Applicants hereby elect Species B, corresponding to Figure 2, on which claims 2, 8, 10, 17, and 19 are readable.

As noted, however, the restriction requirement is respectfully traversed. According to MPEP 803, "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions."

MPEP 803(B) further states, "There must be a serious burden on the examiner if restriction is required."

- 1) The IPER, copy attached, shows the International Search Authority considered all claims. There was unity of invention and there was no undue search burden.
- 2) Applicants have filed Information Disclosure Statements herein, including one with the ISR, whereby the search burden is reduced.

Therefore, it is respectfully submitted there would be no serious burden on the Examiner to search and examine all pending claims in a single application, and reconsideration and withdrawal of the restriction requirement are respectfully requested.

Applicants hereby request that any concurrent or future reply submitted by Applicants to the U.S. Patent and Trademark Office in connection with the above-identified patent application requiring an extension of time under 37 C.F.R. §1.136(a) for its timely submission be treated as incorporating therein a request for an extension of time for the appropriate length of time. In addition, to the extent necessary during prosecution of the present application, Applicants hereby authorize the Commissioner to charge any required fee not otherwise provided for, including application processing, extension, and extra claims fees, to Deposit Account No. 06-1135 with reference to Attorney Docket No. 7390/88234.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

/Kendrew H. Colton/

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